

STATE OF CALIFORNIA—STATE WATER RIGHTS
OF WATER RESOURCES
STATE ENGINEER



License for Diversion and Use of Water

APPLICATION 14152

PERMIT 8746

LICENSE 4042

THIS IS TO CERTIFY, That

H. A. Foster and Lee Berry
P.O. Box 666
Barstow, California

have made proof as of April 14, 1953,
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
Valley Well in San Bernardino County

tributary to Mojave Desert

Notice of Assignment (Over)

for the purpose of domestic and stock-watering uses
under Permit 8746 of the Department of Public Works and that said right to the use of said water has
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from February 9, 1951;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed eight thousand (8000) gallons
per day to be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located north two thousand seven hundred (2700)
feet and east one hundred (100) feet from SW corner of Section 20, T 8 N, R 1 W,
SBB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 20.

A description of the lands or the place where such water is put to beneficial use is as follows:

within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29,
T 8 N, R 1 W, SBB&M

Issuance of this license shall not be construed as confirmation that the
source hereunder is a subterranean stream flowing through a known and definite
channel.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.



Witness my hand and the seal of the Department of Public
Works of the State of California, this 17th
day of December, 1954

A. D. EDMONSTON, State Engineer

By Harvey O. Banks
HARVEY O. BANKS
Assistant State Engineer

4/20/56

RECEIVED NOTICE OF ASSIGNMENT TO

John H. A. Foster
Lee Berry

3/18/63

RECEIVED NOTICE OF ASSIGNMENT TO

Partial
Floyd D. & Norma Jean Burns

9-22-67

RECEIVED NOTICE OF ASSIGNMENT TO

of part of Floyd D. & Norma Jean Burns
Lee Berry

10/26/67

RECEIVED NOTICE OF ASSIGNMENT TO

of partial asgt. to
Paul George DuBay

3-25-75

Records chgd to share Leona M.
+ Paul George DuBay as owners

3-30-87

ownership chgd to Leona M. DuBay

6-18-95

assigned to Raymond A. Lee - 4042

LICENSE 4042

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO H. A. Foster and Lee Berry

DATED

83307 6-55 3M SPO

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ORDER

Notice of Change (Over)

APPLICATION 14152

PERMIT 8746

LICENSE 4042

ORDER ALLOWING CHANGE IN PLACE OF USE

Permittees having established to the satisfaction of the State Water Rights Board that the change in place of use under Application 14152, Permit 8746, License 4042 for which petition was filed on August 30, 1956, will not operate to the injury of any other legal user of water, the State Water Rights Board so finds, and

It is ordered that permission be and the same is hereby granted to change the place of use under said Application 14152, Permit 8746, License 4042 to place of use described as follows, to wit:

WITHIN SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 20, T 8 N, R 1 W, SBB&M;
NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 20, T 8 N, R 1 W, SBB&M; NW $\frac{1}{4}$ OF
NW $\frac{1}{4}$ OF SECTION 29, T 8 N, R 1 W, SBB&M AND AT SLASH X
CAFE WITHIN NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 29, T 8 N, R 1 W,
SBB&M

Witness the hand and the seal of the State Water Rights Board this 4th day of February, 1957.

STATE WATER RIGHTS BOARD

By Leslie C. Jopson
Leslie C. Jopson
Chief Engineer

